

AMENDED IN SENATE JUNE 20, 2012

AMENDED IN ASSEMBLY APRIL 10, 2012

AMENDED IN ASSEMBLY MARCH 7, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 1790**

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**Introduced by Assembly Member Hagman**  
*(Coauthors: Assembly Members Jeffries and Silva)*

February 21, 2012

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An act to add Section 60063 to the Education Code, relating to instructional materials.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1790, as amended, Hagman. Instructional materials: digital format.

Existing law authorizes the State Board of Education and the governing board of each school district maintaining one or more high schools to adopt instructional materials for use in kindergarten and grades 1 to 8, inclusive, and high schools, respectively. Existing law places specified requirements on a publisher or manufacturer of instructional materials offered for adoption. Existing law, until July 1, 2015, exempts school districts from requirements to provide pupils with instructional materials by a specified time period following adoption of those materials by the state board.

This bill would require a publisher or manufacturer submitting ~~an a~~ *printed* instructional material for adoption by the state board or the governing board of a school district to ensure that the *printed* instructional material is *also* available in ~~both print and a digital format~~ *format* during the entire term of the adoption. The bill would not

authorize the use of instructional materials that would constitute an infringement of copyright under specified federal law. The bill would apply these provisions only to adoptions that occur after the exemption time period described above.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 60063 is added to the Education Code,  
2     to read:  
3     60063. (a) A publisher or manufacturer submitting ~~an a printed~~  
4     instructional material for adoption by the state board pursuant to  
5     Section 60200 or the governing board of a school district pursuant  
6     to Section 60400 shall ensure that the *printed* instructional material  
7     is *also* available in ~~both print and a digital formats~~ *format* during  
8     the entire term of the adoption.  
9     (b) This section does not authorize the use of instructional  
10    materials that would constitute an infringement of copyright under  
11    the federal Copyright Revision Act of 1976, as amended (17 U.S.C.  
12    Sec. 101 et seq.).  
13    (c) This section shall apply only to instructional material  
14    adoptions that occur after the inoperative date established in  
15    Section 60049.  
16    (d) *This section does not require a publisher or manufacturer*  
17    *that submits an instructional material in digital format only for*  
18    *adoption by the state board or the governing board of a school*  
19    *district to offer or submit an equivalent print version of the*  
20    *instructional material in digital format.*